

October 28, 2022

Via ECF

The Magistrate Judge Lee G. Dunst
United States District Court Judge
United States District Court—E.D.N.Y.
100 Federal Plaza
Central Islip, NY 11722

RE: Windward Bora LLC v. Durkovic., et al., 22-cv-411-MKB-LGD

Dear Magistrate Judge Dunst:

We represent the Plaintiff in the above-referenced action. Please accept this letter in response to Your Honor's Report and Recommendation entered on October 28, 2022 [Docket No. 21]. The "Loan Number Step 1" entry and the "Borrower's Phone No" entry were redacted from the copies of the RPAPL §1306 Proof of Filing Statements that were filed with Plaintiff's Complaint in order to protect the Defendants' privacy.

Pursuant to Your Honor's directive in the Report and Recommendation, attached hereto is the unredacted RPAPL §1306 Proof of Filing Statements.¹ As such, Plaintiff contends that it did comply with RPAPL §1306 and respectfully requests that Your Honor reconsider the Report and Recommendation, which states that "Plaintiff Failed To Comply With RPAPL Section 1306", warranting denial of the Motion for default judgment of foreclosure and sale.

Should the court require additional information, kindly advise. We thank the Court for its review of the within submission.

Respectfully Submitted,

/s/Alan H. Weinreb
Alan Weinreb, Esq.

Enclosures

¹ The "Loan Number Step 1" entry remains redacted.

**WE ARE A DEBT COLLECTOR AND ARE ATTEMPTING TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**



New York State Department of Financial Services
One State Street Plaza, New York, NY 10004

Proof of Filing Statement

To Whom It May Concern:

Section 1306 of the Real Property Actions and Proceedings Law (RPAPL) requires lenders, assignees or mortgage loan servicers servicing loans on 1-to-4 family residential properties in New York State to file certain information with the Superintendent of the Department Financial Services within three days after the mailing of a 90-Day Pre-Foreclosure Notice.

The information below pertains to a filing submitted to the Department of Financial Services as required in Section 1306 of RPAPL. The information is presented as filed by the lender, assignee or mortgage loan servicer.

Filer Information:

Name : FCI Lender Services, Inc.
Address : 8180 E. Kaiser Blvd, , Anaheim Hills, CA, 92808,

Filing Information:

Tracking Number : NYS5480876
Mailing Date Step 1 : 16-SEP-21 12.00.00.000 AM
Mailing Date Step 2 :
Judgment Date Step 3 :
Filing Date Step 1 : 16-SEP-21 10.57.54.000 AM
Filing Date Step 1 Orig : 16-SEP-21 10.55.52.000 AM
Filing Date Step 2 :
Filing Date Step 3 :
Owner Occupd at Jdgmnt :
Property Type : 1 to 4 Family Home
Property Address : 1460 Forest Avenue, , Baldwin, Nassau, NY, 11510,

Date of Original Loan : 16-JUN-05 12.00.00.000 AM
Amt of Original Loan : 165000
Loan Number Step 1 : xxxxxxxxxxxx
Loan Number Step 2 :
Loan Reset Frequency :
Loan Type : Junior Lien
Type of Reverse Mortgage : Not Applicable
HUD Approval Status : Not Applicable
Loan Details : Fixed Rate
Loan Term : Other
Loan Modification : No
Days Delinquent : Other
Borrower's Name : Rhonda Mcqueen
Address : 1460 Forest Avenue, Baldwin, NY 11510

Borrower's Phone No : 5167058448
Filing Status : Step 1 Completed

Sincerely,

New York State Department of Financial Services



New York State Department of Financial Services
One State Street Plaza, New York, NY 10004

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Days Delinquent : Other
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Borrower's Phone No : 5167058448
Filing Status : Step 1 Completed

Sincerely,

New York State Department of Financial Services